

From: Joseph Sussman [mailto:joseph@sussmanlaw.net]
Sent: Wednesday, June 30, 2010 5:38 PM
To: 'Andrey Strutinskiy'
Cc: 'Krishnan Chittur'
Subject: RE: Serin v. Northern Leasing; Subpoenas to Sussman

Andrey:

In our discussion yesterday, you agreed to give me until at least July 9th to provide you with the documents, so long as I provided you with a portion of the documents in the next few days. Consistent with that agreement, I then provided you with 192 pages of non-privileged documents yesterday and will continue to produce additional documents over the course of this and next week, while simultaneously asserting and maintaining our attorney client privilege with regard to privileged items. We do not accept your attempt to renege.

With respect to your position on the crime-fraud exception, it is precisely that. Your position. You do not get to unilaterally determine its application. That is for the court to decide.

Frankly, I find your position unseemly. I have consistently given you time when you need it. As I informed you, I am recovering from an awful cycling accident and would appreciate if you would return the courtesy.

Joe

From: Andrey Strutinskiy [mailto:astrutinskiy@chittur.com]
Sent: Wednesday, June 30, 2010 10:38 AM
To: Joseph Sussman
Cc: Krishnan Chittur
Subject: Re: Serin v. Northern Leasing; Subpoenas to Sussman

Dear Joseph:

We have received your documents, which are nothing more than court filings and a few pieces of communication with our firm. As I mentioned to you over the phone, no attorney-client privilege can be asserted in connection with these actions; they are covered by the crime-fraud exception. Therefore, please provide all communication - whether by email, fax, notes of phone calls, notes of meetings,

memos, or in any other form - with Northern Leasing or any of its personnel concerning each of the six litigations. If no such documents exist, please provide us with an affidavit to that effect.

We need to clear this issue first before we can agree to your request for any extension. We trust you will attend to this immediately.

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Yours truly,
Andrey Strutinskiy, Esq.
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On Tue, Jun 29, 2010 at 7:02 PM, Joseph Sussman <joseph@sussmanlaw.net> wrote:
Kris and Andrey:

Please find the attached letter and document production in 3 separate pdf files attached herewith.

Kindly confirm your receipt of this email and whether you encounter any difficulty in opening the pdf attachments.

JS

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